

KIRK T. KENNEDY, ESQ.  
Nevada Bar No: 5032  
815 S. Casino Center Blvd.  
Las Vegas, NV 89101  
office: (702) 385-5534  
fax: (702) 385-1869  
email: ktkennedylaw@gmail.com  
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SAM LEYBA,	)	2-16-cv-01122-JCM-CWH
Individually,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
NV ENERGY, INC., a	)	
Nevada Corporation,	)	
DOES 1-10, inclusive; ROE	)	
CORPORATIONS 1-10, inclusive,	)	
	)	
Defendants.	)	

**STIPULATION TO EXTEND DISCOVERY PLAN AND SCHEDULING ORDER**  
**DATES**  
**(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiff, SAM LEYBA, by and through his undersigned counsel, KIRK T. KENNEDY, ESQ., and the Defendant, NV ENERGY, INC., by and through its undersigned counsel, KARYN M TAYLOR, ESQ., and PATRICK HICKS, ESQ., hereby submit this Stipulation to Extend the Discovery Plan and Scheduling Order dates, as set forth herein. The current discovery deadline is January 16, 2018. The parties request a discovery extension of 60 days to a new date of March 19, 2018. This is the second request to extend the discovery plan dates.

**DESCRIPTION OF ACTION:** This is a national origin based discrimination action under Title VII. Defendant denies all claims for relief.

**1. Discovery Completed to Date:**

The parties have exchanged all Rule 26 lists of witnesses and initial document

1 production. The Plaintiff has served a supplemental document production, as well. The  
2 Defendant has served supplemental document production to the Plaintiff. The Plaintiff  
3 has taken the deposition of Defendant's witness Kesha Carter on December 13, 2017.

4 The Defendant has served interrogatories and requests for document production  
5 on the Plaintiff and those answers are due by January 4, 2018.

6 2. Discovery that remains to be completed: Plaintiff intends to take 3-5 additional  
7 depositions and may engage in further written discovery. The Defendant needs to  
8 schedule the Plaintiff's deposition and possibly additional fact witnesses not in excess of  
9 5.

10 3. Reasons why discovery has not been completed to date:

11 Recently, the Court denied the Defendant's motion to stay discovery by Order,  
12 ECF 40. The parties are attempting to complete the remaining discovery in this matter,  
13 however conflicting scheduling has required additional time to set the contemplated  
14 depositions by both parties.

15 The additional requested 60 days should allow sufficient time to complete all  
16 remaining discovery in this case.

17 **Proposed Discovery Schedule:**

18 1. Estimated time required for remaining discovery: The parties request a discovery  
19 extension of 60 days from January 16, 2018, to a new deadline date of March 19, 2018.

20 2. The parties shall have until April 18, 2018 to file dispositive motions. This is 30 days  
21 after the discovery cut-off date and does not exceed the outside limit of thirty (30) days  
22 following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing  
23 dispositive motions.

24 3. The pretrial order shall be filed by May 18, 2018, which is not more than thirty (30)  
25 days after the date set for filing dispositive motions in the case. This deadline is  
26 suspended if dispositive motions are timely filed and, in such case, the deadline for filing  
27 the pretrial order shall be thirty (30) days after decision on said dispositive motions, or by  
28 further order of the court. The disclosures required by FRCP Rule 26 (a)(3) shall be

made in the joint pretrial order.

/s/Kirk T. Kennedy  
KIRK T. KENNEDY, ESQ.  
Nevada Bar No: 5032  
815 S. Casino Center Blvd.  
Las Vegas, NV 89101  
(702) 385-5534

Attorney for Plaintiff

Dated: 12/19/17

/s/Karyn M. Taylor  
KARYN M. TAYLOR, ESQ.  
Nevada Bar No: 6142  
NV Energy  
6100 Neil Road  
Reno, NV 89511  
(775) 834-5781  
Attorney for Defendant

Dated: 12/19/17

/s/Patrick Hicks  
PATRICK HICKS, ESQ.  
Nevada Bar No: 4632  
Littler Mendelson  
3960 Howard Hughes Pkwy., #300  
Las Vegas, NV 89169  
(702) 862-8800  
Attorney for Defendant

Dated: 12/19/17

**ORDER**

IT IS SO ORDERED.

Dated this 21<sup>st</sup> day of December, 2017.

  
UNITED STATES MAGISTRATE JUDGE